

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	
)	No. 3:05-CR-48
V.)	(VARLAN/SHIRLEY)
)	
)	
)	
ARMANDO MARTINEZ MONCADA)	

ORDER OF DETENTION PENDING TRIAL

This matter came before the Court for an initial appearance and arraignment on an Indictment on May 9, 2006. Tracy Stone, Assistant United States Attorney, was present representing the government and Beth Ford was present representing the defendant. The defendant was present. The government moved for detention because Immigration Customs Enforcement has or is going to place a detainer against the defendant. Ms. Ford stated that she has explained to her client that there will be a detainer lodged against him. The defendant has signed a Waiver of Detention Hearing and has reserved the right to have a hearing at a later date, if appropriate. 18 U.S.C. § 3142(f)(2).

Both the defendant's attorney and the government's attorney agreed this situation constitutes good cause under 18 U.S.C. § 3142(f)(2), and the Court agrees and therefore this detention hearing is continued indefinitely. Until that time, the defendant will remain in detention. The defendant stated he understands that he will remain in detention.

The defendant has been informed that a prompt hearing would be scheduled if he becomes eligible and requests a detention hearing. Accordingly, The defendant is

committed to the custody of the Attorney General or his designated representative for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge